

meetings shall be supervised by the Control Committee, which shall prescribe such procedure as shall be reasonable and fair to all persons concerned.

(b) With respect to each commodity committee only growers of the particular fruit who are present at such nomination meetings or represented at such meetings by duly authorized employees may participate in the nomination and election of nominees for commodity committee members. Each such grower, including employees of such grower, shall be entitled to cast but one vote for each position to be filled for the representation area in which he produces such fruit.

(c) A particular grower, including employees of such growers, shall be eligible for membership as principle or alternate to fill only one position on a commodity committee. A grower nominated for membership on the Pear Commodity Committee must have produced at least 51 percent of the pears shipped by him during the previous fiscal period, or he must represent an organization which produced at least 51 percent of the pears shipped by it during such period.

[41 FR 17528, Apr. 27, 1976, as amended at 56 FR 46369, Sept. 12, 1991]

EFFECTIVE DATE NOTE: At 59 FR 10055, Mar. 3, 1994, in §917.24, paragraph (a) the words “§917.21 and” and in paragraph (c) the words “A grower nominated for membership on the Pear Commodity Committee must have produced at least 51 percent of the pears shipped by him during the previous fiscal period, or he must represent an organization which produced at least 51 percent of the pears shipped by it during such period.” were suspended, effective April 4, 1994.

§ 917.25 Selection of members of various commodity committees.

The Secretary shall select the members of each commodity committee from nominations made by growers, as provided in §§917.21 through 917.24, or from among other eligible persons. Any person selected as a member of a commodity committee shall qualify by filing with the Secretary a written acceptance of the appointment.

EFFECTIVE DATE NOTE: At 59 FR 10055, Mar. 3, 1994, in §917.25, the words “§917.21 through” were suspended, effective April 4, 1994.

§ 917.26 Failure to nominate.

If nominations are not made within the time and in the manner prescribed in §§917.21 through 917.24, the Secretary may, without regard to nominations, select the member and alternate members of commodity committees on the basis of representation provided in §§917.21 and 917.22. In the event nominations are not made for membership on the Control Committee, pursuant to the provisions of §§917.17 and 917.18, by May 1 of each year, the Secretary may select such members without waiting for nominees to be designated.

[41 FR 17528, Apr. 27, 1976, as amended at 56 FR 46369, Sept. 12, 1991]

EFFECTIVE DATE NOTE: At 59 FR 10056, Mar. 3, 1994, in §917.26, the words “§917.21 through” and “§917.21 and” were suspended, effective April 4, 1994.

§ 917.27 Alternates.

There shall be an alternate for each member of the Control Committee, and an alternate for each member of each commodity committee. Each such alternate shall possess the same qualifications, shall be nominated and selected in the same manner and shall hold office for the same term, as the member for whom he is alternate. An alternate shall, in the event of such member's absence at a meeting of the committee, act in the place and stead of such member; and, in the event of such member's removal, resignation, disqualification, or death, the alternate for such member shall, until a successor for the unexpired term of said member has been selected, act in the place and stead of said member. In the event both a member and his alternate are unable to attend a meeting the member or the committee members present may designate any other alternative to serve in such member's place and stead provided such action is necessary to secure a quorum.

§ 917.28 Procedure for filling vacancies on committees.

To fill any vacancy on the Control Committee or on any of the commodity committees occasioned by the failure of any person selected as a member or as an alternate member to qualify, or